



## The forgotten pillar: Strengthening the correctional subsystem in the integrated reform of the criminal justice system

Mulyadi Alrianto Tajuddin<sup>1\*</sup> , Darmawati<sup>2</sup>, Rendie Meita Sarie Putri<sup>1</sup> 

<sup>1</sup>Faculty of Law, Universitas Musamus, Jl. Kamizaun Mopah Lama, Merauke, Papua Selatan, Indonesia

<sup>2</sup>Faculty of Law, Universitas Ichsan Gorontalo, Jl. Raden Saleh No. 17, Kota Barat, Gorontalo, Indonesia

e-mail: [mulyadi@unmus.ac.id](mailto:mulyadi@unmus.ac.id)

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### ABSTRACT

The Indonesian criminal justice system faces significant challenges related to the role and function of correctional institutions, which are still viewed as mere technical enforcers of punishment rather than integral parts of the rehabilitation and social reintegration process. This inequality results in high recidivism rates and failure to achieve true restorative justice, while also causing problems in enforcing prisoners human rights. This study aims to examine the structural disharmony between criminal justice subsystems and formulate an integrative model that positions correctional institutions as strategic actors in criminal policy and the implementation of restorative justice. The method used is normative legal research with a qualitative approach through an analysis of legislation, legal doctrine, and comparative studies of international correctional systems. Research findings show that marginalization in the criminal justice system exacerbates recidivism rates and weakens rehabilitative functions. The proposed integrative model places the correctional system as a partner from the early stages of the criminal process, including sentencing recommendations, risk assessments, and post-sentencing reintegration plans. This study reinforces the importance of functional equality between subsystems and the integration of restorative justice principles as the foundation for a more humane and effective criminal justice system reform in accordance with international human rights standards.

**Keywords:** Community Integration, Prisoner Rehabilitation, Restorative Justice

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## 1. INTRODUCTION

Rehabilitation in the criminal justice system is the main foundation for the state's efforts to enforce the law, guarantee justice, and maintain social order (Benjamin, 2023). This system consists of several functionally interconnected subsystems, namely the police, public prosecutor's office, courts, and correctional institutions (Alya, 2024). Although all of these subsystems play an important role, criminal law reform has focused more on the early stages of the legal process, such as investigation, prosecution, and trial (Brilliant, 2021). Meanwhile, rehabilitation, as the final stage in the criminal justice system, tends to be neglected, creating structural imbalances and undermining the ultimate goals of punishment, namely, rehabilitation and social reintegration.

Correctional institutions serve not only as places for the enforcement of criminal penalties but also as institutions with a mandate to rehabilitate prisoners so that they can return to society as whole individuals (William, 2024). In the modern legal paradigm, correctional institutions must perform corrective, restorative, and reintegrative roles through measurable and sustainable rehabilitation programs (Sonan, 2022). However, correctional institutions in Indonesia still face serious problems such as overcapacity, limited resources, and a lack of program integration between judicial institutions and the social system (Darmawati, 2022). The lack of attention to strengthening this subsystem indicates that community service has not been positioned as a strategic part of comprehensive criminal-justice reform.

Theoretically, the idea of correctional services is based on the perspective that prison sentences are not only meant as a form of retribution but also as a tool for social guidance and rehabilitation. This idea is reflected in Law No. 22 of 2022 on Corrections, which emphasizes that the correctional system is implemented based on the principles of respect for human dignity, justice, non-discrimination, and social reintegration (Rama, 2021). This statement is in line with Van Bemmelen's view that prisons are intended to rehabilitate offenders so that they can return to living as good members of society (Moeljatno, 2008). Therefore, correctional institutions should not be viewed merely as places to serve sentences but as processes for transforming prisoners into productive and socially responsible individuals (Amanda, 2023).

In the context of contemporary correctional services, the principle of restorative justice serves as the main basis for changing the paradigm of punishment from mere punishment to social rehabilitation and reintegration (Kurnia, 2025). Restorative justice involves victims, perpetrators, and communities as important elements in the case resolution process to repair relationships that have been damaged as a result of crime (Muhtar, 2024). According to Howard Zehr (2002), restorative justice focuses more on the offender's obligation to repair the harm done and restore social balance (Howard, 2002). Therefore, correctional institutions are expected to carry out their rehabilitative function, which is not only to isolate prisoners but also to return them to society as better individuals than before.

However, this ideal concept of rehabilitation is often not reflected in the implementation of rehabilitation in Indonesia. Data from the Directorate General of Corrections of the Ministry of Immigration and Corrections show that correctional institutions in Indonesia still face serious overcrowding issues, with the number of inmates far exceeding the ideal capacity (Irma, 2025). In addition, the imbalance between the ratio of officers and prisoners, limited budgets, and weak inter-agency coordination have resulted in poor implementation of rehabilitative functions (Diaz, 2024). According to Muladi, rehabilitation should not merely be the "final destination" of punishment, but rather an integral part of an integrated law enforcement system (Muladi, 2002). Unfortunately, in empirical reality, this institution is often overlooked in the planning of broad criminal law reforms.

Based on these circumstances, this study focuses on two main issues: the repositioning of the function of correctional institutions and the integration of these institutions into an integrated criminal justice system. Repositioning of roles is understood as an effort to make correctional institutions a subsystem that not only enforces punishment but also functions as a key actor in the social reconstruction of inmates, in accordance with the mandate of Article 3 of the Correctional Institutions Act. Institutional integration refers to the importance of coordination and policy continuity among law enforcement agencies in creating a comprehensive and equitable criminal justice system. This approach is in line with the concept of the criminal justice system formulated by Herbert Packer, in which the effectiveness of the

criminal justice system is highly dependent on the existence of strong functional relationships between subsystems (Packer, 1968). Thus, this study not only has a strong conceptual foundation but also has normative and contextual relevance in the effort to reform national criminal law.

Various studies have investigated important issues in the prison (correctional) system. Conceptually, correctional institutions are recognized as an important part of the criminal justice system and play a vital role in the rehabilitation process as the main objective of punishment (Ayom, 2021). However, many studies tend to focus on technical, managerial, and internal issues within correctional institutions. Discussions on the strategic position of correctional services as an integrated and fully functional element within the overall criminal justice system have received little attention. Optimizing the role of probation in the criminal justice system in Indonesia is very important, and strengthening this position, for example, through community guidance functions, is essential for creating an integrated system (Julinda, 2023). This focus gap shows that legal reform efforts in many developing countries often neglect to strengthen the strategic role of correctional services in the overall structure of criminal justice.

In addition, although the concept of an integrated criminal justice system has been regulated in national regulations and used as a policy reference, the implementation of integration between subsystems, particularly between correctional institutions and other law enforcement agencies, faces various challenges (Riki, 2023). The fragmentation of tasks and lack of synergy between institutions prevent correctional services from playing a maximal role in achieving the overall objectives of the criminal justice system. The gap between regulatory norms and implementation realities reflects the challenges that emphasize the importance of policy harmonization and inter-institutional coordination within the criminal justice system to ensure effective and sustainable justice.

This study aims to analyze and formulate the strengthening of correctional institutions in the integrated criminal justice system to improve the effectiveness of prisoner rehabilitation and social reintegration. Several countries have designed comprehensive correctional policies and practices that focus on restorative justice and are based on respect for human rights (Jeniffer, 2020). However, in Indonesia, the correctional system still faces structural and institutional challenges that hinder its strategic role in sentencing. Therefore, this research is crucial for identifying obstacles and formulating policy recommendations that strengthen institutional integration and correctional functions to realize a comprehensive, fair, and sustainable criminal justice system. This strengthening is crucial so that correctional institutions are no longer neglected but rather become an integral part of national criminal law reform.

## **2. METHOD**

This study is normative legal research that uses a qualitative approach through a comprehensive literature review (Bambang, 2006). The methods applied include analyzing various legal sources, such as laws, government regulations, court decisions, and scientific literature, such as journal articles and books, related to the function and integration of correctional institutions in the criminal justice system. The main legal basis for this study is Law No. 22 of 2022 on Correctional Institutions, which provides a basis for understanding the normative provisions regarding correctional institutions. This study explores the extent to which the Correctional Law strengthens the strategic role of correctional institutions in terms of rehabilitation, social reintegration, and as an important element of an integrated criminal justice system. The results of this study are expected to provide a reconstruction of legal understanding and policy to strengthen the function and integration of correctional institutions in the reform of the criminal justice system in Indonesia. The recommendations are intended to serve as guidelines for policymakers and relevant parties to improve the functioning of correctional institutions in accordance with the principles of human rights and restorative justice.

## **3. RESULT AND DISCUSSION**

### **3.1 The Position of Correctional Institutions in the Criminal Justice System**

The concept of the criminal justice system shows that correctional services are not only the final stage of criminal law enforcement but also an important subsystem that determines the overall success of the system (Dewi, 2021). An approach that positions correctional institutions solely as places to serve prison sentences diminishes the essence of contemporary punishment itself. Current criminal law not only emphasizes repressive functions but also makes rehabilitative and reintegrative functions its main objectives (Saut, 2020). Therefore, correctional institutions should be viewed as a tool of the state in carrying out its social rehabilitation function rather than as a place for retribution for crimes.

Normatively, the position and role of correctional institutions have gained strong legitimacy through Law No. 22 of 2022 on Correctional Institutions. This regulation emphasizes that the correctional system is implemented to prepare prisoners to return to society as productive and responsible members of society. Article 3 of the Law clearly states that the purpose of correctional institutions is to achieve social reintegration by ensuring that the rights of inmates are respected. This shows that correctional services should not be viewed merely as a technical administrative matter but should be placed on an equal footing with the police, public prosecutor's office, and judiciary within the criminal justice system (Andi, 2021).

However, correctional institutions still face marginalization in the context of an ideal criminal-justice system. When penal functions are still dominated by legal and deterrent approaches, the role of correctional services tends to be narrowed down to merely enforcing criminal sentences without considering the value of recovery and rehabilitation (Nodirbek, 2022). However, according to the systemic view, success in criminal law enforcement is not only measured by the imposition of punishment but also by the extent to which offenders can restore their social status as members of society. The absence of correctional practices in the formulation of criminal policy and the establishment of crime management strategies indicate a structural imbalance among the sub-systems of criminal law (Konrad, 2022).

Within the framework of an integrated criminal justice system, rehabilitation should be the endpoint of collaboration between law enforcement agencies (George, 2019). Harmonization between the functions of prosecution, sentencing, and rehabilitation is necessary for the effective implementation of this system. Without coordination and integration between institutions, correctional services will continue to be marginalized from fundamental criminal justice reform. Therefore, strengthening the position of correctional institutions is not only related to administrative aspects but also requires conceptual renewal regarding how the state views prison sentences. At this point, rehabilitation should be established as a form of state responsibility to ensure the continuity of criminal law as a means of guidance, not retribution (Sergei, 2024).

The development of correctional institutions as part of the criminal justice system cannot be separated from the philosophy of modern criminal law, which emphasizes corrective and rehabilitative approaches to punishment. According to Barda Nawawi Arief, punishment serves not only a preventive and repressive function but also a corrective and educational one, with offenders still being regarded as individuals who can be rehabilitated and reintegrated into society (Barda, 2010). This view is in line with Muladi, who emphasized the importance of a humanistic orientation in sentencing and the implementation of correctional functions. Therefore, if the correctional system is understood only as a place to serve sentences without regard to personal and social development, the state will fail to fulfill its constitutional mandate to protect human dignity, as stipulated in Article 28G (1) of the 1945 Constitution of the Republic of Indonesia.

### **3.2 Problems of Corrections in the Implementation of the Criminal Justice System**

The main problem in implementing correctional functions in Indonesia is institutional fragmentation within the criminal justice system. Normatively, the criminal justice system should function in an integrated manner, but coordination between the subsystems, namely the police, prosecutor's office, courts, and correctional institutions, is still sectoral and tends to be incomplete. The absence of a permanent communication forum to establish policies for handling criminal cases means that correctional services are often not involved in strategic decision-making processes, including determining the type of crime, classifying prisoners, and implementing rehabilitation programs (Ethan 2023).

The absence of an institutional coordination system directly impacts the ineffectiveness of prisoner rehabilitation. In many situations, prisoners enter correctional institutions without any risk assessment, social evaluation, or a well-planned individual rehabilitation plan (Anis, 2025). However, as stated in Article 13 of Law No. 22 of 2022, the correctional system should be based on an individualized approach to punishment. The lack of an integrated database system among institutions means that correctional institutions operate with minimal information, resulting in a uniform and purely administrative approach to rehabilitation.

The next important issue is overcrowding, which disrupts all aspects of the rehabilitation process (Leopold, 2020). Data from the Directorate General of Corrections in 2024 show that the occupancy rate of prisons and detention centers has exceeded 95% of their intended capacity. This situation not only affects the quality of rehabilitation but also increases the risk of violence, security disturbances, and human rights violations within correctional institutions. This reflects a mismatch between punitive sentencing policies and the limited capacity of institutions to manage and educate prisoners.

The shortage of trained and professional personnel in the field of prisoner rehabilitation is a significant obstacle to implementing a correctional system focused on rehabilitation (Candra, 2020). Many correctional officers still operate under heavy workloads and lack adequate training (Veronica, 2025). Consequently, the quality of correctional services has declined, and public confidence in the state's ability to educate offenders humanely has diminished. Thus, the management promised within the prison system framework has turned into an administrative activity with few elements of reform.

The paradigm of law enforcement officials regarding correctional services remains limited. Punishment is often seen only as a retaliatory measure rather than an effort at rehabilitation (Fazail, 2025). Thus, correctional institutions are positioned as executors of sentences without the authority to determine the path of rehabilitation and social reintegration. In this context, the criminal law perspective remains focused on the classic repressive model, even though legal thinking has shifted toward restorative and rehabilitative approaches to punishment. According to Hamzah, criminal law should not focus on revenge but rather on protecting society and rehabilitating offenders (Hamzah, 2008).

Reactive correctional policies that are not based on criminological research exacerbate the system's ineffectiveness. The lack of social mapping of prisoners' characteristics, backgrounds, or factors that trigger criminal behavior makes rehabilitation programs generic and contextually inappropriate for certain groups. Prisons serve as places for the enforcement of punishment and not as centers for social rehabilitation (Orisalsalina, 2024). This is not in line with the principle of corrective justice, which should be at the core of the correctional system. Considering these issues, the status of correctional institutions in Indonesia's criminal justice system remains vulnerable and is not yet fully recognized as a strategic subsystem. Normative legal changes through Law No. 22 of 2022 have not been fully matched by structural and cultural reforms in the implementation of institutions. Without clear repositioning and integration, correctional institutions will remain a weakness in the criminal justice system, increasing the likelihood of human rights violations, recidivism, and broader social dysfunction.

One issue that is often overlooked in discussions about criminal law policy is the lack of participation by correctional institutions in formulating national sentencing policy. In various policy formulation forums, the main actors are prosecuting agencies and courts, while correctional institutions are usually the final executors (Rahmat, 2023). In fact, correctional institutions hold the most reliable empirical data on the effectiveness of prison sentences, recidivism rates, and public reactions to prisoner rehabilitation. The absence of rehabilitation in this series of criminal policies reflects a breakdown in the

structure that prevents the formation of an integrated criminal justice system based on data, focused on corrective justice, and responsive to ever-changing social challenges.

### **3.3 The Urgency of Repositioning Corrections in the Integrated Criminal Justice Architecture**

The repositioning of correctional institutions is necessary in the context of reforming the criminal justice system to be fair and focused on rehabilitation (Firman, 2023). So far, correctional institutions have been seen more as "executors of punishment" rather than as parties that play an important role in enforcing criminal law. The understanding that considers correctional services as the end of the criminal process is contrary to the principle of corrective justice, which requires the state not only to punish but also to continue with guidance, reintegration, and social recovery for perpetrators of crimes.

The importance of this repositioning is supported by the fact that most prisoners are recidivists or former prisoners who have not been successfully socially rehabilitated. Based on information from the Directorate General of Corrections in 2024, approximately 8.34% of prisoners in correctional institutions were recidivists. This figure shows the failure of the correctional system in stopping the cycle of crime. If corrections are only seen as an administrative unit without strategic authority in policy making, then efforts to reduce recidivism will remain reactive and temporary (Sigifredo, 2024). Correctional repositioning is also crucial for creating structural equality between subsystems in an integrated criminal justice system.

The criminal justice system will not function properly if one of its subsystems is neglected in terms of its role, function, and resources. In the context of system integration, correctional institutions should be involved from the beginning, both in the determination of criminal policy, the preparation of sentencing guidelines, and the process of monitoring the effectiveness of the sentences. Systemic weaknesses occur when prevention and guidance are not the main focus of the system and are only addressed after a crime has occurred.

In theory, the urgency of correctional repositioning is based on the integrative criminal policy approach proposed by Marc Ancel, which emphasizes the importance of synergy between criminal, social, and educational policies in the crime prevention system. In the Indonesian context, such collaboration has not been realized because correctional institutions do not play a role in determining the direction of the national criminal policy. As a result, sentencing policies tend to be punitive in nature, without regard to the capacity of correctional institutions to carry out rehabilitation functions to the fullest (Usman, 2020). Repositioning should also be encouraged by strengthening correctional functions in the context of restorative justice. In various legal systems that apply the principle of restorative justice, correctional institutions play an important role in social reconciliation between offenders and society. However, this role is not fully realized in the Indonesian criminal law system. The Corrections Law has provided this opportunity through a community-focused rehabilitation approach. Without the strengthening of inter-sectoral norms and policies, restorative justice will only be a normative term that cannot be implemented.

The urgency of repositioning is also based on constitutional considerations. Article 28G paragraph (1) of the 1945 Constitution affirms that every individual has the right to protection of self, family, honor, dignity, and property. In the correctional context, this right means that prisoners are still considered as legal subjects who must be treated humanely and get guarantees for social reintegration (Mohammad, 2021). The failure of the correctional system to implement this principle not only shows the failure of technical institutions, but also represents a structural weakness in the implementation of the principle of a rule of law that upholds human rights.

Countries with advanced correctional systems such as Romania and Italy have shown that success in corrections depends on the integration of rehabilitative functions within the criminal justice system as a whole (Ionut, 2022). In this system, correctional institutions play an active role in establishing policies for guidance and social reintegration that are tailored to the needs of individual prisoners. In Indonesia, although Law No. 22 of 2022 has established a progressive correctional function, its implementation is still hampered by the lack of synergy between institutions and limited resources. An assessment of this policy shows that normative change without structural and cultural reform of the institution will only result in formal modifications that have little substantive impact. Thus, learning from the experiences of other

countries is crucial as a benchmark and also a critical reflection in supporting the reconstruction of the correctional system in Indonesia.

Thus, correctional repositioning is not only about strengthening the institution, but also about renewing the perspective on criminals, offenders, and state functions. Correctional institutions should function in a strategic position to enable inter-institutional cooperation, have the authority to formulate guidance policies, and serve as a center for strengthening social reintegration. Without this, criminal law reform will never achieve its goals, and corrections will remain a neglected aspect of the Indonesian criminal justice system.

### **3.4 Integrative Correctional Model in the Architecture of the Indonesian Criminal Justice System**

The development of a perfect criminal justice system cannot be done separately between sub systems, but must be built based on functional integration (Gani, 2023). Until now, Indonesia's criminal justice system has exhibited a fragmented nature. Police, prosecutors, courts and prisons tend to operate within a sectoral framework with poor coordination. This has resulted in a break in continuity in the handling of criminal offenders, from the investigation stage to rehabilitation after conviction. However, in terms of the criminal justice system, the success of law enforcement is not only determined by one institution, but by the synergy between all existing sub-systems.

The differences in function between these sub-systems can be illustrated by comparing the normative roles and positions as well as the implementation of each institution in the criminal justice system (Ut, 2023). The police carry out investigation and law enforcement tasks to the fullest, supported by a centralized organizational framework and command structure. The Public Prosecutor's Office as the prosecuting agency has an important position in the dominus litis system and controls substantive case development. Courts carry out judicial functions effectively with strong constitutional authority. Meanwhile, although correctional institutions are normatively regulated through Law No. 22 of 2022, in practice they still function administratively and marginally.

These inequalities illustrate structural gaps in the criminal law system, where correctional facilities are treated only as technical implementers of court decisions, not as part of a substantial legal process. In practice, many prisoners do not undergo an adequate risk and needs assessment upon initial admission to the prison (Mulyadi, 2025). This shows that the coaching process is not based on data or consideration of the individual background of prisoners. In fact, coaching that is not contextualized will only risk producing recidivism or failure of social reintegration.

The implementation of an integrative model also requires an integrated database system that can be accessed by all sub-systems, especially regarding criminal history, offender characteristics, and risk factors. Such a system not only speeds up coordination, but also supports evidence based decisions. As an illustration, correctional institutions can provide advice in the prosecution process for offenders who have certain psychological or social conditions in order to obtain more appropriate criminal sanctions. On the other hand, the court's decision can be continued by the correctional center through an appropriate development program, because there is already data on the character and needs of prisoners.

In these conditions, the integrative model serves as a conceptual and normative offer to create equality and collaboration between sub-systems. The integrative model in question is an approach that makes corrections a strategic partner from the early stages of law enforcement, not just an executor of decisions. This requires joint regulations governing correctional involvement in the initial assessment, the formulation of sentencing recommendations, and the formulation of guidance and reintegration plans (Ricardo, 2025). This kind of cooperation has been implemented in the continuous correction system in several countries, which highlights the continuity of treatment of offenders from investigation to probation. This model will also strengthen the overall application of restorative justice (Henny, 2023).

Restorative justice that is applied only in the early stages of a case will not be successful if it is not followed by guidance that focuses on reconciliation and social recovery. Correctional institutions, which have direct contact with offenders, victims and the community after serving their sentences, should be at the forefront of restoration based reintegration programs. Therefore, the integrative model requires

synergy, not subordination, between law enforcement agencies in achieving the ultimate goal of the criminal justice system, which is substantial and sustainable justice.

**Table 1. Gaps in the Function of Criminal Justice Sub Systems in Indonesia**

No	Sub System	Normative Function	Practical Functions in the Field	Gap Notes
1.	Police	Investigation, arrest, collection of evidence	Optimal, has a clear command structure and broad authority	Supported by budget, personnel, and access to information; tends to be dominant in handling cases
2.	Prosecutor	Prosecution, dominus litis, case control	Quite optimal, involved in investigations and coordination between law enforcement agencies	The role of dominus litis is often not accompanied by control over criminal executions
3.	Judiciary	Trying cases, handing down verdicts in accordance with law and justice	Relatively optimal, carrying out the principle of due process of law	Time constraints and high caseloads affect the quality of sentencing considerations
4.	Corrections	Coaching, rehabilitation, reintegration	More predominantly administrative and technical	Not involved in the formulation of criminal policy, minimal initial assessment of prisoners, coaching functions are not yet based on data and individual needs of prisoners

Notes: Author's analysis.

The table above illustrates the different roles between sub-systems in the criminal justice system in Indonesia. The police and prosecutor's office have a strong structure and normative authority, and play a dominant role from the early stages of law enforcement. The courts continue to fulfill their role as the formal arbiters of justice, albeit limited by the number of cases available (Rico, 2021). However, when it reaches the final stage called correctional, the substantive role begins to diminish. The organization tends to operate within an administrative framework, without strategic involvement in policy and coordination between sectors. This imbalance suggests that the criminal justice system remains fragmented and has not adopted an integrative approach that makes corrections an equal functional partner in development and social reintegration.

Thus, the structuring of the correctional model in the architecture of the criminal justice system needs to be directed at developing a mutually supportive working mechanism between institutions. This is not just a technical or administrative improvement, but a paradigm transformation in viewing the law enforcement process as a whole. Corrections is now an integral part of the system, contributing to national strategies in crime prevention, individual development, and the protection of the constitutional rights of all citizens, including those who have served their sentences.

#### 4. CONCLUSION

The repositioning of correctional institutions in the Indonesian criminal justice system is an urgent need to realize substantial, humane and sustainable justice. Correctional institutions should not only be considered as administrative executors, but must act as strategic actors in integrating the functions of rehabilitation and social reintegration. Structural imbalances between law enforcement sub-systems have resulted in fragmented handling of criminal offenses, which has resulted in high rates of recidivism and failure of social rehabilitation of offenders. By making corrections an important component in the formulation of criminal policy, the development of prisoners can be focused on restoring human dignity in accordance with the principles of restorative justice and protection of human rights. Thus, institutional strengthening, regulatory adjustments, and inter-sectoral collaboration are important requirements to create a correctional system that can make a significant contribution to the effectiveness of the criminal justice system at the national level.

### **Ethical Approval**

Ethical approval was not required for this study.

### **Informed Consent Statement**

Not Applicable.

### **Authors' Contributions**

MAT contributed to the conceptualization of the study, data collection, case analysis, and preparation of the manuscript. He also served as the corresponding author and was responsible for coordinating the research process and revisions. D provided supervision and guidance in the application of legal theory, ensuring the validity of the normative legal analysis and interpretation of judicial decisions. RMSP contributed to literature review, legal documentation, and assisted in compiling and organizing case data used in the study.

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No potential conflict of interest was reported by the authors

### **Data Availability Statement**

The data presented in this study are available on request from the corresponding author due to privacy reasons.

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### **Notes on Contributors**

#### **Mulyadi Alrianto Tajuddin**

<https://orcid.org/0000-0003-3600-4890>

Mulyadi Alrianto Tajuddin is a lecturer at the Faculty of Law, Musamus University. Born in Merauke, He completed his undergraduate and postgraduate studies at Hasanuddin University, then his doctorate at Sultan Agung Islamic University. In addition to teaching, the author is actively engaged in research and community service in the field of Criminal Law, with a focus on the criminal procedural law and the criminal justice system.

#### **Darmawati**

Darmawati is a lecturer at the Faculty of Law, Ichsan Gorontalo University. Born in Watampone, she completed his doctoral studies at Hasanuddin University. In addition to teaching, the author is actively engaged in research and community service in the field of Criminal Law, with a focus on the penology and correctional.

#### **Rendie Meita Sarie Putri**

<https://orcid.org/0009-0007-9718-6401>

Rendie Meita Sarie Putri is a lecturer at the Faculty of Law, Musamus University. Born in Lampung, she completed her undergraduate studies at the University of Lampung in 2022, majoring in Law, and her master's degree in Criminal Law in 2024. In addition to teaching, the author is actively engaged in research and community service in the field of Criminal Law, with a focus on the protection of women and children.

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